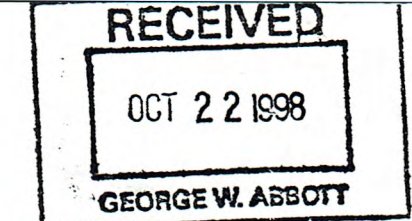


UNITED STATES DISTRICT COURT
OFFICE OF THE CLERK
DISTRICT OF NEVADA

LANCE S. WILSON
DISTRICT COURT EXECUTIVE/CLERK



BRUCE R. THOMPSON
FEDERAL BUILDING
& U.S. COURTHOUSE
ROOM: 301
400 South Virginia St.
Reno, Nevada 89501

To: CLERK, U.S. DISTRICT COURT OF APPEALS FOR THE NINTH CIRCUIT
USDC JUDGE EDWARD C. REED, JR.
USDC NO. CV-N-97-670-ECR (RAM) USCA NO. _____
STYLE OF CASE: GERALD ARMSTRONG v. DAVID MISCAVIGE, ET AL

Enclosed are documents &/or information relating to an appeal in
the above-referenced action.
Please acknowledge receipt on the enclosed copy of this letter.

xxx Appeal filed on 10/14/98.
xxx Judge/Magistrate appealed from: EDWARD C. REED, JR.

xxx **DOCKET FEE NOTIFICATION:**

xxx Appeal filing fee paid ____ No XX Yes.
XX \$100 Docket Fee Paid XX \$5.00 Filing Fee Paid.
____ Docket & Filing Fee Not Paid:
____ U.S. Appellant ____ Appellant/IFP.

____ Certificate of Probable Cause: ____ Granted ____ Denied.
____ Court file forwarded. (When CPC is denied, file is to
be sent to Court of Appeals.)

xxx Certified copy of Notice of Appeal, docket entries,
judgment &/or Order appealed #72 AND #73

____ **DEATH PENALTY.**

____ Court Reporter(s): _____

xxx Transcript designation/order form mailed to counsel.

____ Certificate of Record Attached.

____ Other: _____

LANCE S. WILSON, CLERK

By: WAYNE JULIAN
Deputy Clerk

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT
CIVIL APPEALS DOCKETING STATEMENT

INTERNAL USE ONLY

98-17024

PLEASE TYPE OR PRINT. ATTACH ADDITIONAL PAGES IF NECESSARY.

TITLE IN FULL Gerald Armstrong, Plaintiff		DISTRICT: Nevada		JUDGE: Edward C. Reed, Jr.	
vs. DAVID MISCAVIGE ;CATHY NORMAN; CHURCH OF SCIENTOLOGY INTER- NATIONAL; RELIGIOUS TECHNOLOGY; SEA ORGANIZATION; and CHURCH OF SCIENTOLOGY OF TEXAS, Defendants.		DATE COMPLAINT FILED: 11/24/97		DISTRICT COURT DOCKET NUMBER: 97-00670-ECR	
		DATE NOTICE OF APPEAL FILED: 10/14/98		IS THIS A CROSS APPEAL? ___ YES X NO	
		HAS THIS MATTER BEEN BEFORE THIS COURT PREVIOUSLY? ___ YES X NO IF YES, STATE WHEN:			
		CASE NAME:			
		CITATION: DOCKET NUMBER:			
CHECK AS MANY AS APPLY					
JURISDICTION		DISTRICT COURT DISPOSITION			
1. FEDERAL	2. APPELLATE	1. STAGE OF PROCEEDING	2. TYPE OF JUDGMENT/ ORDER APPEALED	3. RELIEF n.a.	
<input type="checkbox"/> FEDERAL QUESTION <input checked="" type="checkbox"/> DIVERSITY <input type="checkbox"/> OTHER SPECIFY	<input checked="" type="checkbox"/> FINAL DECISION OF DISTRICT COURT <input type="checkbox"/> INTERLOCUTORY DECISION APPEALABLE AS OF RIGHT <input type="checkbox"/> INTERLOCUTORY ORDER CERTIFIED BY DISTRICT JUDGE (SPECIFY) <input type="checkbox"/> OTHER (SPECIFY)	<input checked="" type="checkbox"/> PRE-TRIAL <input type="checkbox"/> DURING TRIAL <input type="checkbox"/> AFTER TRIAL	<input type="checkbox"/> DEFAULT JUDGMENT <input type="checkbox"/> JUDGMENT/COURT DECISION <input checked="" type="checkbox"/> DISMISSAL/JURISDICTION <input type="checkbox"/> JUDGMENT/JURY VERDICT <input type="checkbox"/> DISMISSAL/MERITS <input type="checkbox"/> SUMMARY JUDGMENT <input type="checkbox"/> JUDGMENT NOV <input type="checkbox"/> DECLARATORY JUDGMENT <input type="checkbox"/> DIRECTED VERDICT <input type="checkbox"/> OTHER (SPECIFY)	<input type="checkbox"/> DAMAGES: AMOUNT SOUGHT \$ _____ AMOUNT <input type="checkbox"/> GRANTED <input type="checkbox"/> DENIED \$ _____ <input type="checkbox"/> INJUNCTIONS <input type="checkbox"/> PRELIMINARY OR <input type="checkbox"/> PERMANENT <input type="checkbox"/> GRANTED OR <input type="checkbox"/> DENIED	

BRIEF DESCRIPTION OF NATURE OF ACTION AND RESULT BELOW: Plaintiff Armstrong filed complaint for libel and defamation, and for other relief. Defendants Religious Technology (RT) and Church of Scientology International (CSI) filed substantively identical motions to dismiss: for lack of personal jurisdiction, DENIED; for improper venue, DENIED; for fugitive disentitlement DENIED; for lack of subject matter jurisdiction (after evidentiary hearing at suggestion of plaintiff) motion to dismiss GRANTED. Plaintiff appeals.

ISSUES PROPOSED TO BE RAISED ON APPEAL
1) Where plaintiff pleaded, showed 15+ year pattern of defendant Miscavige-led Hubbard type oppression, attempted bodily harm/even death threats against plaintiff Armstrong, vicious undisguised attacks on both state and federal court judges and their aides; did evidence of same operate to justify plaintiff seeking and establishing new domicile/residence, justify placing himself, keeping himself on move and in "safest" havens while fear of retaliation persisted, all the while retaining new domicile/residence?

2) On foregoing whether analysis on appeal will result in showing of clear error, improper application of standard of review, abuse of discretion in receipt, weighing of evidence; fraud on court by defendants.

BASED ON YOUR PRESENT KNOWLEDGE:

1. Does this appeal involve a question of first Impression? X Yes ^{*fn 1} No
2. Will the determination of this appeal turn on the interpretation or application of a particular case or statute? X Yes _____ No
If yes, provide:
Case name/statute Lew v. Moss
Citation: 797 F2d 747 (9th Cir. 1986)
Docket number, if unreported: _____
3. Is there any case now pending or about to be filed in this court or any other court or administrative agency which: Unknown at this time.
 - a) Arises from substantially the same case or controversy as this appeal?
_____ Yes _____ No
 - b) Involves an issue that is substantially the same, similar or related to an issue in this appeal?
_____ Yes _____ No
Case name: _____
Citation: _____
Court or agency: _____
Docket number, if unreported: _____
4. Will this appeal involve a conflict of law within the Ninth Circuit?
X Yes ^{*fn 2} No
Among circuits? X Yes ^{*fn 3} No
If yes, explain briefly:

DOES THIS APPEAL INVOLVE ANY OF THE FOLLOWING:

- _____ Possibility of settlement;
- _____ Likelihood of a motion to expedite the appeal;
- X Multiple parties on either side for whom joint briefing is possible;
- _____ Likelihood of motions to intervene on appeal;
- _____ Likelihood of motions to file amicus briefs;
- _____ Likelihood of motions to stay appeal pending resolution of a related case. Identify case name, docket number and court or agency:

- _____ Other procedural complexities:
See footnotes 1, 2, and 3.

COUNSEL FOR APPELLANT(S):

NAME: George W. Abbott
FIRM: George W. Abbott, Chartered
ADDRESS: 2245-B Meridian Boulevard
P. O. Box 98
Minden, Nevada 89423
TELEPHONE: (775) 782-2302

I CERTIFY THAT A COPY OF THIS CIVIL APPEALS DOCKETING STATEMENT WAS SUBMITTED TO THE CLERK OF THE DISTRICT COURT OR THE CLERK OF THE U.S. COURT OF APPEALS, AND THAT IT WAS SERVED ON EACH PARTY/COUNSEL SHOWN ON THE ATTACHED SERVICE LIST.

George W. Abbott

SIGNATURE

Dec. 24, 1998

DATE

* fn 1 Does the unrelenting compulsion of CSI-RTC-Miscavige (Hubbard) ceaselessly to "lie, cheat, steal, even murder" to eliminate/to destroy legal counsel, their clients, judges and their aides, in further soiling of their unclean (indeed bloody) hands which

excusably forces targets such as Armstrong to mask daily movements, to seek "safest" havens, adding new dimensions, without destroying established "domicile", "residence"?

*fn 2 and *fn 3

Plaintiff-appellant believes, will show that the expanded rationale can be reconciled with such decisions as Hendrix, 917 F.2d 398 (9th Cir.1992)and Brady, 51F.3d 810 (9th Cir. 1992), as well as among circuits. The CSI-RTC-Miscavige (Hubbard) egregious misconduct and evil has spread nationwide and worldwide.

SEP 14 1998

AO 450 (Rev. 5/85) Judgment in a Civil Case 9

UNITED STATES DISTRICT COURT U.S. DISTRICT COURT

BY

DEPUTY

DISTRICT OF NEVADA

GERALD ARMSTRONG,

Plaintiff,

V.

JUDGMENT IN A CIVIL CASE

CASE NUMBER: CV-N-97-670-ECR (RAM)

DAVID MISCAVIGE, et al.,

Defendants.

 Jury Verdict. This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered it's verdict.

 Decision by Court. This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

XX Decision by Court. This action came to be considered before the Court. The issues have been considered and a decision has been rendered.

IT IS ORDERED AND ADJUDGED that this action is dismissed.

September 14, 1998

Date

LANCE S. WILSON

Clerk

WAYNE JULIAN

(By) Deputy Clerk

U.S. DISTRICT COURT
DISTRICT OF NEVADA
ENTERED & SERVED

SEP 14 1998

CLERK, U.S. DISTRICT COURT

DEPUTY

SERVICE LIST

George W. Abbott, Esq.
2245-B Meridian Blvd.
P. O. Box 98
Minden, Nevada 89423

(775) 782-2302

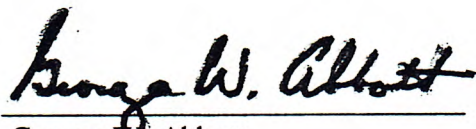
N. Patrick Flanagan, Esq.
Hale Lane Peek Dennison Howard and Anderson
100 West Liberty Street, 10th Floor
P. O. Box 3237
Reno, Nevada 89505

(775) 327-3000

CERTIFICATE OF SERVICE

I certify that I am the attorney of record for Plaintiff in the within action,,
and that on the 24th day of December, 1998, I caused to be deposited for mailing
at Minden, Nevada, with first class postage fully prepaid, a true copy of the within
CIVIL APPEALS DOCKETING STATEMENT addressed as follows:

N. Patrick Flanagan, Esq.
Hale Lane Peek Dennison Howard
And Anderson
P. O. Box 3237
Reno, Nevada 89505


George W. Abbott